

REMARKS

These Remarks are in reply to the non-final Office Action mailed August 11, 2006. 1, 5-8, 11, 12 and 17 have been amended, claims 2-4, 9 and 10 have been canceled and claims 21 and 22 have been newly added, such that claims 1, 5-8 and 11-22 are now pending. All claims are provided above for the Examiner's convenience.

Rejection under 35 U.S.C. § 102

Claims 1, 4 and 11-16 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,169,930 to Blachek et al. (hereinafter "Blachek").

Claim 1 as amended recites steps of "(c) initiating a DC current unlatch process for unlatching the actuator if the internal temperature is greater than the predetermined temperature threshold value; and in the alternative (d) initiating an AC current unlatch process for unlatching the actuator if the internal temperature is less than the predetermined temperature threshold value." Blachek does not disclose this limitation and cannot therefore be reasonably said to anticipate claim 1. Withdrawal of the rejection of claim 1 and allowance thereof are respectfully requested.

Claim 4 has been canceled.

Similarly, claim 11 recites an unlatch procedure programmed into a controller "executing a DC current unlatch process if the thermistor value falls within a first range of predetermined values and an AC current unlatch process if the thermistor value falls within a second range of predetermined values." Again, Blachek does not disclose this limitation and therefore does not anticipate claim 11. Withdrawal of the rejection of claim 10 and allowance thereof are respectfully requested.

Claims 12-15 depend from allowable claim 11 and are allowable for at least this reason.

Claim 16 has been canceled.

Rejection under 35 U.S.C. § 103

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Claims 2 and 3 have been rejected under 35 U.S.C. § 103(a) as being obvious over Blachek in view of U.S. Patent 6,169,930 to Chiang et al. (hereinafter "Chiang").

Claims 2 and 3 have been canceled.

Allowable Subject Matter

The Examiner is thanked for the indication that claims 5-10 and 17-20 include allowable subject matter.

Claim 17 has been amended to include the limitations of claim 16 as proposed by the Examiner. Allowance of claim 17 is respectfully requested.

Claim 1 has been amended by adding some of the limitations of claim 5 and claim 1 is now believed to be allowable for reasons set forth above.

Conclusion

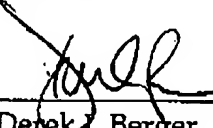
For these reasons, Applicant respectfully asserts that present claims particularly point out and distinctly claim the subject matter which is regarded as the invention. In addition, the present invention as claimed is not taught by the prior art of record or any combination thereof. Therefore, it is respectfully submitted that the pending claims are in condition for allowance, and favorable action with respect to the present application is respectfully requested.

If the Examiner is not satisfied, but minor changes would apparently put the present case in condition for allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Seagate Technology LLC
(Assignee of the Entire Interest)

November 13, 2006
Date


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